

**Indeck v. Victory**  
**Plaintiff's Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
1	1/7/2003	EPTI / VEO	License Agreement	VEO1170-1190		
1A	1/7/2003	EPTI / VEO	License Agreement between EPTI and VEO	IKE001064-1092		
2	2/3/2003	Mark White	Letter to Viskup Transmitting Annexes	VEO1191-1201		
3	2/27/2003	John Viskup	Addendum re: Superheat License Agreement Addendum	IKE001093-1095		
4A	7/3/2003			IKE 09641 (also identified as IKE 1535, VEO 949 and IKE 8539)		
4B	9/23/2003	Ted Fuhrman	Email attaching Addendum Trademark Assignment Abstract of Title	IKE001534-1535		
5	2/12/1952			IKE 9642-9645 (also identified as Indeck MSJ Exhibit 64)		
6	5/18/2005		Trademark / Service Mark Application. Principle Register Erie City Iron Works	IKE 9646-9675 (also identified as John Viskup Deposition Exhibit 4)		
7	4/1/2004	VEO	VEO Trademark/ Service Mark Application for Erie City Boiler Works	IKE 9754-9781		
8		VEO	VEO's Chart re: Profits on Jobs Sold Since September 8, 2004			
9		Zurn VEO	Zurn Sales Brochure VEO Keystone Brochures	VEO 9248-9281 ND 276-ND 299		
10		VEO	VEO Keystone Sales Brochure	PTC 00485-PTC 00500		
11	5/00/2003	VEO	Keystone Design Drawing list	IKE004400-4406 &4409		
12	5/17/1972		Keystone Boiler Drawings	VEO 3358-3634		
13			Marked up Heinz Drawing re: Rear Wall	VEO3503		
14A			Tube Detail			
14B			Marked up Heinz Drawing re: Boiler Tube Detail	VEO3504		
14C			Marked up Heinz Drawing re: Drum Attachment	VEO3505		
14D			Marked up Heinz Drawing re: Internal Piping and Detail Assembly	VEO3506		

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14E			Marked up Heinz Drawing re: Upper Drum Baffle Detail and Assembly	VEO3507		
14F			Marked up Heinz Drawing re: Lower Drum Detail	VEO3508		
14G			Marked up Heinz Drawing re: Upper Drum Detail	VEO3509		
14H			Marked up Heinz Drawing re: Drum Drilling Pattern	VEO3510		
14I			Marked up Heinz Drawing re: Furnace Wall Tube Detail	VEO3511		
14J			Marked up Heinz Drawing re: Outer Sidewall Tube Detail	VEO3512		
14K			Marked up Heinz Drawing re: Front Wall Tube Detail	VEO3513		
14L			Marked up Heinz Drawing re: Boiler Tube Layout	VEO3514		
14M			Marked up Heinz Drawing re: Rear Wall Layout	VEO3515		
14N			Marked up Heinz Drawing re: Front Wall Layout	VEO3515.01		
14O			Marked up Heinz Drawing re: General Arrangement	VEO3516		
14P			Marked up Heinz Drawing re: System Schematic	VEO3517		
15			Keystone Name Plate	VEO0893-894		
16	1/11/2006		VEO CS Boiler Series Table	VEO8086-8121		
16A	12/1/2004		Victory Boiler Drawings	VEO8184-8204		
17	1/12/2006	Mark White	VEO-Voyager Series- VOYAGER Model Description	VEO8183		
18	9/13/2006	VEO	Voyager Boiler Drawings	VEO14896-14955		
19	9/15/2006	VEO	Additional Voyager drawings and Related Correspondence	VEO14438-14647		
20	various	VEO	Victory Boiler Drawings	VEO15394-15467		
21	10/18/2006	VEO	Additional Voyager drawings	Seibel Depo Ex. 3		

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22	2/00/1979		Zurn Steam Purity Components- Baffled Drum with Vortex Steam Separators and Chevron Purifiers	Logan Deposition Exhibit 1		
23	5/30/1992		Keystone Engineering Design Guide	VEO1574-1702	IKE 9676-9714 (also identified as White Deposition Exhibit 7 & IKE 8542-8580)	
24	3/31/1996	Zurn and Rosetti	Rosetti License Agreement			
25	6/26/1997	Mark White	Inventions and Confidentiality Agreement	IKE 9633-9635		
26	6/25/1997	Jay McConaughy	Inventions and Confidentiality Agreement	IKE 9636-9638		
27	6/25/1997	Marty Swabb	Inventions and Confidentiality Agreement	IKE 9630-9632		
28	4/17/2005	Marty Swabb	Confidentiality Agreements with IKE and Martin Swabb	IKE 9623-9629		
29	4/16/2001	John Viskup	Viskup Letter re: Heinz Boilers	IKE 9639-9640		
30	5/21/2001	Aalborg Industries	Heinz Drawing re: General Arrangement of RTI and Tube Arrangement Sheets	McConaughy 16		
31	6/6/2001	John Viskup	VE PO# 3343 Re: Aalborg Ind. Keystone Saturated Boilers	McConaughy 17 & Viskup 26		
31A	6/1/2001	Aalborg Industries	Heinz Purchase Orders	VEO15387-15393		
31B	6/6/2001	John Viskup	VE PO# 3343 Re: Aalborg Ind. Keystone Saturated Boilers	McConaughy 17 & Viskup 26		
32	8/14/2001		Design Performance Report	McConaughy 15		
33	12/20/2002	Mark White	Email from Mark White to Shawn Brewer re: Draft of License Agreement	VEO 663-682		
34			Intentionally Left Blank			
35	12/23/2002	Mark White	Forwarded email to John Viskup of email message from Mark White to Shawn Brewer regarding data table capacity range and models	VEO0683-VEO0685		

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36	12/23/2002	Shawn Brewer	Emails to Viskup re: Draft License Agreement	VEO0663-685		
37	00/00/2003		2003 Correspondence re: Technical Questions	IKE001552-1586		
38	1/7/2003	John Viskup	Viskup Email to White re: License Agreement (8:26 am)	VEO0686-709		
39	1/7/2003	John Viskup	Email from John Viskup to Mark White attaching revised Licensed Agreement (2:41 pm)	VEO0710-VEO730		
40	1/8/2003	John Viskup	Viskup Email to White re: Revised License Agreement (1:51 p.m.)	IKE000325		
41	1/8/2003	Mark White	White Email to Levstek, Gdaniec, Briggs, Fuhrman re: License Agreement Support (9:21am)	IKE004230		
42	1/8/2003	Mark White	White Memo tofrom Gdaniec re: Support for LA (12:07pm)	IKE000336-337		
43	1/8/2003	Marie Fiske (Mark White)	Email from Fiske to John Viskup Conformed License Agreement (3:16pm)	VEO0731-750		
44	1/8/2003	Mark White	White Email to Viskup with Conformed LA for signature & Conformed License Agreement (4:16pm)	IKE004410-4429		
45	1/9/2003	Mark White	White Email to Brewer re: Typical Representative Agreement	IKE000205-216		
46	1/9/2003	Shawn Brewer	Brewer Memo to Viskup re: Representative Agreement	VEO0751-762		
47	1/14/2003	Bob Gdaniec	Gdaniec Memo to White re: License Agreement	IKE 000340		
48	1/21/2003	Mark White	White Email to Gdaniec re: EPTI Approval of Drawing Changes	IKE004232		
49	1/21/2003	Mark White	Letter to representative re: License Announcement- VEO LLC.	IKE 9715-9718 (also identified as White Deposition Exhibit 43 & VEO 770-773)		

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50	1/22/2003	Shawn Brewer	Brewer Email to Viskup re: QA Statement and Announcement of Sale	VEO0770-773		
51	1/22/2003	Mark White	White Email to Gdaniec re: Victory License - Possible New Order 50,000pph	IKE000342-343		
52	1/23/2003	Dave Briggs	Briggs Email to Gdaniec re: Mark White Confusion	IKE005017		
53	1/24/2003	Shawn Brewer	Brewer Email to Viskup re: Sale Announcement	VEO0774-0775		
54	1/29/2003	Marty Swabb	Swabb Email to White re: Origin of Keystone M Series	IKE004239 & IKE005417		
55	1/29/2003	Mark White	White Email to Gdaniec re: License Product Description	IKE004876-4879 & IKE005271-5274		
56	1/30/2003	Mark White	White Email to Gdaniec/Fuhrman/Briggs re: Annex of License Agreement	IKE005003-5009		
57	1/30/2003	Dave Briggs	Briggs Comments to LA	IKE004435-4437		
58	1/30/2003	Dave Briggs	Briggs Email to White re: Annex 1; & Annex of License Agreement	IKE000354		
59	1/30/2003	Mark White	White Email to Briggs re: Annex 1 changes	IKE004240		
60	1/31/2003	Shawn Brewer	Brewer Email to Miller re: Design Modification	VEO0783		
61	1/31/2003	Bob Gdaniec	Drawings sent to S. Brewer	IKE000254-272		
62	2/00/2003		Handwritten Annotations for Annexes to LA	IKE00344-353		
63	2/00/2003	Mark White	Email to distribution from M. White regarding VEO-Iowa Ethanol Project (Broin)	IKE004458-4459		
64	2/3/2003	Mark White	White FW: to Brewer & Miller License Agreement Response (1:56pm)	IKE000273		
65	2/3/2003	Shawn Brewer	Brewer Email to Viskup re: License Agreement Response (2:08pm)	VEO0784-785		

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66	2/3/2003	Dave Briggs	Email to M. White Re: License Agreement Response (2:55pm)	IKE005012		
67	2/3/2003	Shawn Brewer	Email from Shawn Brewer to John Viskup re:FW: Annex I revised (4:57pm)	VEO0786-VEO0796		
68	2/3/2003	Mark White	White Email to Brewer with Revised Annex 1 (5:10pm)	IKE000275-285		
69	2/5/2003	J. Nieminski	Email to Mark White Regarding EPITI MEMO. Doc.	IKE006257-6258		
70	2/6/2003	Shawn Brewer	Brewer Email to White/Miller/Viskup re: Recap of Telecom (6:27pm)	IKE000289-292		
71	2/6/2003	Mark White	White Email to Kang re: LA	IKE356-357 & IKE000978-979		
72	2/6/2003	Mark White	White Email to Viskup Re: 2023 Drawings	IKE 9717 (also identified as IKE 8811)		
73	2/7/2003	Shawn Brewer	Email to Mark White re: Chile Quote	IKE 3942		
74	2/10/2003	Mark White	White Email to Brewer re: 14M Special	IKE001274		
75	2/10/2003	Mark White	White Email to Brewer re: D Type Boilers	IKE000295		
76	2/11/2003	Dave Briggs	Briggs Email to White re: Drawing List of Marked-up Drawings	IKE006236		
77	2/11/2003	Dave Briggs	Email to T. Pawlowski re: VEO (Tube Lengths and Quantities)	IKE004258		
78	2/12/2003	Mark White	White Email to Viskup and Miller re: Drawings for Broin	IKE004260		
79	2/12/2003	Mark White	Inquiry Entry Form with post-it Re: Develop a Thermal Design for Keystone.	IKE003925		
80	2/12/2003	Stephen Kang	Email to White regarding Victory Sales	IKE000394		
81	2/18/2003	Victory Energy	Representative Agreement between Victory Energy and Christian Power Equip Counterclaim	Exhibit B in VEO's Amended		

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82	2/18/2003	Victory Energy	Representative Agreement between Victory Energy and Power Systems Inc.	Exhibit C in VEO's Amended Counterclaim		
83	2/19/2003	Dan Levstek	Levstek Email to White/Briggs re: Remaining Marked-up Drawings	IKE006233-6234		
84			Intentionally Left Blank			
85	2/19/2003	Dave Briggs	Email to White re: Remaining Marked-up Drawings for LA	IKE004305		
86	2/21/2003	Dave Briggs	Briggs Email to Levstek/ Gdaniec re: Superheater Drawings	IKE004315		
87	2/26/2003	John Sohl	Email to Swanson/White re: Support for Project 2028	IKE 9720-9721 (also identified as IKE 8817-8818 & VEO 367-368)		
88	2/26/2003	Shawn Brewer	Brewer Email to White re: Data Sheets/ Tube Arrangement Drawing	IKE 9722-9728 (also identified as IKE 8819-8825)		
89	2/26/2003	Mark White	White Email to Brewer/Viskup/Miller re: Superheater Detailed Drawings	IKE00296-299		
90	2/28/2003	Mark White	White Email to Bernatowicz re: Bulldog Superheater Units	IKE004433		
91	3/6/2003	Dave Briggs	Briggs Email to White re: Dry Pan Drawing	IKE 9729 (also identified as IKE 8831)		
92	3/8/2003	Bob Gdaniec	Email to Jay McConaughy re: Questions on Drum Internal- Victory 60"drum	IKE005490-5491		
93	3/11/2003	Shawn Brewer	Email From S. Brewer to Mark White Re: VEO0823 Wish List			
94	3/12/2003	Mark White	White Email to Brewer re: Various Boiler Drawing/ SH Lay-out Drawings	IKE 9730 (also identified as IKE 8830)		
95			Intentionally Left Blank			
96	3/12/2003	Mark White	Email to Brewer, Viskup and Miller Re: ABMA Dates	VEO0824-826		

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97	3/12/2003	Mark White	Email to B. Gdaniec Re: Victory License Support- Graphics, Fabrication, Thermal Design, Operation	IKE000358		
98	4/23/2003	Dave Briggs	Briggs Email to White re: Complete Submittal List	IKE004330-4331		
99	5/00/2003	VEO	VEO Sales Manual	IKE 000001-71		
99A		VEO	VEO Manual on Keystone Water Tube Boilers	VEO01490-1573		
100	5/8/2003	Bob Snyder	Snyder Email to Briggs re: Assembly Sequence for Trent Miller	IKE004332-4349		
101	5/12/2003	Shawn Brewer	Brewer Email to Ware re: Development of IKE 9732-9735 Updates to Keystone			
102	5/12/2003	VEO	Proposal to Mitsubishi Power System, Inc., VE-1648	IKE003523-IKE003579		
103	5/17/2003	Steve Bernatowicz	Bernatowicz Email to Brewer/ cc to White re: Premium Energy RFQ	IKE 9736-9739		
104	5/21/2003	Dave Briggs	Briggs Memo to Miller re: Boiler Sequence Guide cc to White	IKE004350-4351		
105	6/6/2003	VEO	Unit Sale Notifications to EPTI	IKE004568-4577		
106	6/13/2003	John Viskup	Email to Mark White re: 15M Special	IKE 3325-3327		
107	6/24/2003	Shawn Brewer	Email cc to White and Viskup re: Victory Energy Sales Meeting	IKE 9836		
108	6/25/2003	Mark White	Brewer Email to White/Bernatowicz/Gdaniec re: Maimonides Medical Center	IKE003586		
109	7/1/2003	Dave Briggs	Briggs Email to White re: Various Drawings	IKE004363		
110	7/10/2003	Dave Briggs	Dave Briggs sent email to Trent Miller re: A Couple Question	IKE004962		
111	7/11/2003	Trent Miller	Miller Email to White re: EPTI Issues	IKE 9740		
112	7/11/2003	Mark White	White Email to Viskup re: Engineering Training	IKE 9741		
113	7/15/2003	Simon Kassas (EPTI)	EPTI Email to Viskup re: Elimination of White position effective 7/31/03	V00033		

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114	7/16/2003	Mark White	White Email to Brewer re: 2201 Drawings	IKE000142-144		
115	7/16/2003	Mark White	Email to John Viskup Re: ABMA Data 2002 & 2003	VEO0922-933		
116	7/18/2003	Dave Briggs	Briggs Email to Fuhrman re: "Complete list of what was given to Trent and Mark"	IKE004944-4951		
117	7/18/2003	Ted Fuhrman	Fuhrman Email to Briggs/Gdaniec re: List of tech. documents to VEO	IKE004364		
118	7/18/2003	Trent Miller	Miller Email to Briggs re: Drawings	IKE004366		
119	7/18/2003	Dave Briggs	Briggs Email to Miller re: KSD 06, 33 Drawings	IKE001511-1513		
120	7/18/2003	Ted Fuhrman	Email to Mark White Re: Listing of design information	IKE005262		
121	7/28/2003	Trent Miller	Miller Email to Briggs requesting Drum Drawings	IKE004367		
122	7/29/2003	EPTI	Notes of PC w/ Viskup	IKE004564-4565		
123	7/29/2003	Steve Bernatowicz	Fax to Viskup Re: SP 15M Keystone Performance	IKE 4216-4228		
124	8/8/2003	Ted Fuhrman	Fuhrman Email to Miller re: Boiler Slide Plate Arrangements	IKE001514-1516		
125	8/8/2003	Shawn Brewer	Email to Alan Christian Re: Keystone Boiler Serial Number 1	VEO0936		
126	9/9/2003	Ted Fuhrman	Fuhrman Email to Gdaniec re: Trailer Design Outside Scope	IKE004368		
127	9/16/2003	Dave Briggs	Email to Miller re: Drum Lifting Lug Radius Confirmation	IKE 4865		
128			Intentionally Left Blank			
129	9/25/2003	John Viskup	Fuhrman Email to Viskup re: Late Semi-annual Statement and Bill of Lading	IKE001537-1543		
130	9/25/2003	John Viskup	VEO Semi-annual Statements	IKE005202-5205		
131	9/25/2003	Ted Fuhrman	Keystone Boiler Projects	VEO1268-1270		
132	9/29/2003	Dave Briggs	Briggs Email to Miller re: Refractory Drawings	IKE001517-1521		

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133	9/29/2003	Dave Briggs	9/18/03 – 9/29/03 Drawings to Trent Miller	IKE005229-5261		
134	10/9/2003	Mark White	M. White sent email to B. Gdaniec & T. Fuhrman re: Standard "M" Series Summary- Question	IKE001560		
135	10/10/2003	Ted Fuhrman	Fuhrman Email to all Personnel re: Information to VEO	IKE005322		
136	10/16/2003	Shawn Brewer	Letter to John Wiesham of Protherm re: Standard and Special 13M	PTC 0000260 & PTC 0000262		
137	10/22/2003	Trent Miller	Email to and from Mark White and Ted Fuhrman re: Need for Refractory Drawings	IKE001546		
138			Intentionally Left Blank			
139	10/27/2003	Shawn Brewer	Brewer Email to Ware Inc. re: newness of manufacturing process	IKE 9742-9744		
140	12/1/2003	Trent Miller	Miller Email to Fuhrman/Briggs re: Rear Wall Tubes	IKE004377		
141	12/1/2003	Dave Briggs	Briggs Email to Miller re: Rear Wall Tubes	IKE004378		
142	12/2/2003	Mark White	White/Brewer/Viskup Email Exchange with Gdaniec re: EPTI Support for Drum Internals for Oxyvinyl	V00036-37		
143	12/2/2003	Trent Miller	Miller Email to Briggs re: Rear Wall Tubes	IKE004383-4385		
144	12/2/2003	Dave Briggs	Briggs Email to Miller re: Rear Wall Tubes	IKE004381-4382		
145	12/2/2003	Bob Gdaniec	Gdaniec Email to White re: Cost of Engineering Support	V00133-134		
146	12/3/2003	Trent Miller	Miller Email to Briggs re: Burner Question	IKE004388-4389		

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147	12/5/2003	Mark White	White Email to Fuhrman/Gdaniec re: from White re: Projects outside of the License-Permission To pursue, Keystone, "D" Boiler Possible Purchase of Technology	VEO0347		
148	12/9/2003	Ted Fuhrman	Response Email to Gdaniec FW from White re: Projects outside of the License-Permission To pursue, Keystone, "D" Boiler Possible Purchase of Technology	IKEE005419		
149	12/11/2003	Bob Gdaniec	Email to Kang re: Amendment to Victory License Agreement	IKEE005311		
150	12/13/2003	Trent Miller	Miller Email to Fuhrman/Briggs re: Foundation Load Diagrams	IKEE004390		
151	12/16/2003	Ted Fuhrman	Fuhrman Email to Briggs re: KDB Standard Drawings – base loading Diagrams	IKEE004391		
152	12/16/2003	Trent Miller	Miller Email to Fuhrman/Briggs re: Boiler Water Levels	IKEE004392		
153	12/22/2003	Steve Bernatowicz	Email to M. White Re: Dallas Fortworth Airport-Boiler Redesign	V00105-00106		
154	1/00/2004	VEO	Assembly Sequence Keystone	VEO01445-1489		
155	1/12/2004	Ted Fuhrman	Email to White and Gdaniec re: Dallas Fort Worth Airport	V00108-109		
156	2/00/04	Philip Meehan	Keystone Watertube Boiler Purchase Confidentiality Agreements between EPTI and Cust-O-bend	VEO0957-959		
157A	2/4/2004	Philip Meehan	Confidentiality Agreements between EPTI and ABT, Inc.	IKEE 9597-9599		
157B	2/10/2004	Bob Gdaniec	Confidentiality Agreements between EPTI and ABT, Inc.	IKEE 9615-9618		
158	2/5/2004	Bob Gdaniec	Email to S. Bernatowicz FW from M. White Re: Keystone "D" Boiler Opportunity	IKEE003043		
159	2/12/2004	Dave Briggs	Briggs Email to Gdaniec re: Typical Keystone Drawing List for Superheated Unit	IKEE004394		

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160	2/12/2004	Bob Gdaniec	Email to M. White Re: Keystone "D" Boiler Opportunity	VEO1049-1050		
161	2/13/2004		Draft License Agreement and Option to Purchase between EPTI and VEO	VEO0962-969		
162	2/17/2004	Shawn Brewer	Email to Sierra Fine attaching Boiler Proposal	IKE 9837-9857		
163	2/23/2004	Mark White	White Email to Fuhrman/Gdaniec re: Semi-annual Report (2 / 6 Months)	IKE 9745-9747 (also identified as VEO 958-960)		
164	2/24/2004	Mark White	White Email re: Draft of Sale Agreement	VEO0961-975		
165	2/24/2004	Stephen Kang	Email to Mark White regarding Keystone Sale Agreement.	VEO0505		
166	2/25/2004	Mark White	White Email to Kang re: Draft of Sale Agreement	VEO0514-526		
167	2/27/2004	Ted Fuhrman	Fuhrman/Gdaniec Email exchange re: VEO Questions	IKE005308-5309		
168	2/27/2004	Bob Gdaniec	Email to Jay McConaughy Re: VEO Package Boiler Questions	IKE001633		
169	3/3/2004	Mark White	White Email to Sheean re: Draft of Sale Agreement	VEO0506-513		
170	3/3/2004	Mark White	Email from M. White to Stephen Kang & D. Levstek re: FW: Completed Annex	VEO0976-VEO0978		
171	3/5/2004	Bob Gdaniec	Draft Amendment to License Agreement and Option to Purchase	VEO0532-544		
172	3/9/2004	Gdaniec/Furhman n	Gdaniec/Furhman Email re: retention of trademarks if sale to VEO	IKE005306		
173	3/18/2004	Bob Gdaniec	Email to Mark White re: VEO Dallas Fort Worth Airport- Request for Proposal	VEO4288-4289		
174	3/23/2004	Bob Gdaniec	Gdaniec Email to White re: Steam Separation Agreement	VEO0559		
175	3/23/2004	Bob Gdaniec	Email to Jay McConaughy from B. Gdaniec re: Dallas Ft. Worth Additional Analysis (VEO)	V 00116- V00117		

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176	3/24/2004	Ted Fuhrman	Email to Gdaniec re: VEO Performance Review	IKE005296-5305		
177	3/24/2004	Dan Levstek	Levstek Email to White re: Completed Annex	VEO0981-996		
178	3/24/2004	Mark White	White Email to Levstek re: Sale Agreement	VEO0499-504		
179	3/24/2004	Bob Gdaniec	Gdaniec Email to White re: Steam Separation Equipment	IKE005294-5295		
180	3/25/2004	Jay McConaughy	McConaughy Email to Miller/Viskup/Brewer re: Standard Purchasing Specifications	VEO0997-999		
181	3/25/2004	Bob Gdaniec	Email to Jay McConaughy re: Some info on VEO289	V00118-119		
182	3/26/2004	Bob Gdaniec	Gdaniec letter to White re: Extension of LA	VEO0527-544		
183	3/26/2004	Ted Fuhrman	EPTI Concerns Regarding Performance (annotated)	IKE001096-1097		
184	3/26/2004	Mark White	Letter to Gdaniec re: EPTI License Concerns (Annotated)	VEO01202-1204		
185	3/26/2004	Mark White	Email to Viskup re: Response to EPTI License Concerns Letter	VEO1013-1016		
186	3/26/2004	Bob Gdaniec	Gdaniec Email to White re: "Disappointment" over Draft	VEO1009-1012		
187	3/26/2004	Mark White	White Email to Viskup attaching the Purchase Agreement Draft	VEO1000-1007		
188	3/26/2004	Bob Gdaniec	Letter to Mark White regarding restructure of Agreement	IKE07432-7436		
189	3/27/2004	Mark White	Email From M. White to J. Viskup re: Letter to EPTI	VEO01017-VEO01020		
190	3/29/2004	Mark White	White Email to Viskup re: Non-standard Units being built	VEO1021-1022		
191	3/30/2004	Mark White	White Email/Letter to Gdaniec re: EPTI License Concerns	V00121-123		

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Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
192	3/30/2004	Shawn Brewer	Email to Christian Power Equipment Re: Boiler Specifications For Escalon	IKE 9858-9887 (also identified as IKE 9345-9374)		
193	4/2/2004	Bob Gdaniec	Gdaniec/White/McConaughy Emails re: Drum Internals Drawing to Oxyviny	V00125-134		
194	4/19/2004	Alan Christian	Email to Rita Peppin Re: Burner/ Boiler Quote	IKE 9888-9900		
195A	4/23/2004	Mark White	Unit Sale Notification to EPTI	IKE 1455-1457		
195B	4/23/2004	Mark White	Unit Sale Notification Ware Inc.,	IKE 5126		
195C	4/23/2004	Mark White	Unit Sale Notification Protherm for Nestle Purina	IKE 1461		
195D	4/23/2004	Mark White	Unit Sale Notification- Oxy Vinyl's	IKE 1449		
195E	4/23/2004	Mark White	Unit Sale Notification WBC- Dallas Fort Worth Airport	IKE 1735		
196	4/27/2004	Mark White	White Email to Gdaniec re: VEO Claim of Exclusivity Breach	VEO0446-447		
197	5/3/2004	Mark White	White Email to Gdaniec re: Joint Pursuit of Project Outside Scope	IKE003388-3390		
198	5/13/2004	Bob Gdaniec	Email to M. White & J. McConaughy re Drum internals in the Keystone boiler	VEO0553		
199	5/15/2004	VEO and EPTI	EPTI – VEO Notre Dame Contract	V 00212-219		
200	5/19/2004	EPTI	EPTI Email to Viskup/Brewer re: GE Rail Assembly Package	VEO1127-1128		
201	5/27/2004	Shawn Brewer	Email to J. Terranova cc. Alan Christian re: RFQ: 0645-B060 Aux Boiler	IKE 9901-9931		
202	6/19/2004	Mark White	McConaughy Email to Miller/Viskup re: Superheater Design Change	VEO1133-1141		
203	6/22/2004	VEO	VEO Membrane Wall Detail	VEO01244-1246		
204	7/1/2004	Mark White	White Email to Gdaniec requesting SEAC Detail	IKE 9748		
205	7/6/2004	VEO and EPTI	EPTI-VEO Mass Project	V 00220-227		

**Indeck v. Victory**  
**Plaintiff's Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
206	7/22/2004	Mark White	White Email to Gdaniec re: 250,000 pph boiler	IKE 003429		
207	7/29/2004	Mark White	Email to Furhman re: Weld Stud Size	IKE 1586		
208	7/29/2004		VEO- Keystone (General Design Question)	IKE005354		
209	8/2/2004	Ted Fuhrman	Furhman Email to Gdaniec/Briggs re: Training for VEO	IKE005287-5288		
210	8/3/2004	Stephen Kang	APA between CMI and EPTI	IKE 9785-9835 (also identified as Kang Deposition Exhibit 11)		
211	8/12/2004	Steve Bernatowicz	Email to John Viskip re: ADM Peoria	IKE006415-6416		
212	8/24/2004	Ted Fuhrman	2/4/03 – 3/26/04 VEO Royalty Payments	IKE004549		
213	8/31/2004	Keith Whitson	Whitson letter to VEO Counsel	VEO1159-1160		
214	9/01/2004	EPTI	EPTI Product Descriptions	IKE 9932-9943		
215	9/2/2004	Chris Sheean	Letter to Whitson re: License Agreement and Confidentiality Clause	VEO 1255-1256		
216	9/6/2004	VEO	Objection and Reservation of Rights of VEO to Expedite Motions to Assume and Assign Executory Contracts Pursuant to 11 USC §365	Bankruptcy filing		
216A	8/27/2004	EPTI	Expedited Motion to and Assign Executory Contract Pursuant to 11 U.S.C. § 365	Bankruptcy filing		
216B	9/7/2004	Honorable Warren W. Bentz	Order Approving Assumption and Assignment of Executory Contract Pursuant to 11 U.S.C. § 365	Bankruptcy filing		
217			Intentionally Left Blank			
218	9/8/2004	Keith Whitson	APA between Indeck and CMI EPTI Breach Concerns	IKE07397-7430		
219	9/9/2004	Keith Whitson	Whitson Letter to VEO Counsel re:	VEO1161-1162		
220	9/10/2004	Chris Petcos	Petcos Email/Letter to White re: Compliance with Agreement	IKE1101-1102		
220A	9/10/2004	Chris Petcos	Petcos Email/Letter to White re: Compliance with Agreement	VEO1247		

**Indeck v. Victory**  
**Plaintiff's Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
221			Intentionally Left Blank			
222	9/17/2004	Protherm	Proposal from Protherm, 24192202	PTC 0000431 – 0000432		
223	9/24/2004	Chris Petcos	Petcos Email to White Re: Compliance with Scope LA	VEO586-587		
224	9/29/2004	Chris Petcos	Petcos Email to White re: Assignment to VEO	VEO0640-645		
225A	10/18/2004	Philip Meehan	Confidentiality Agreements between IKE and Aker Kavaerner Industries	IKE 9612-9614		
225B	11/12/2004	Philip Meehan	Confidentiality Agreements between IKE and Metro Boiler Tube Company	IKE 9600-9602		
225C	1/13/2005	Philip Meehan	Confidentiality Agreements between IKE and Zeyon, Inc.	IKE 9603-9605		
225D	1/17/2005	Philip Meehan	Confidentiality Agreements between IKE and Fintube Technologies, Inc.	IKE 9609-9611		
225E	1/17/2005	Philip Meehan	Confidentiality Agreements between IKE and Cust-O-Bend Inc.	IKE 9594-9596		
225F	3/24/2006	Philip Meehan	Confidentiality Agreements between IKE and Helmick Corporation	IKE 9606-9608		
225G	9/6/2005	Philip Meehan	Confidentiality Agreements between IKE and Industrial Engineering S.A.	IKE 9619-9622		
226	10/26/2004	Ted Fuhrman	Fuhrman Email to Petcos re: VEO Performance Review	IKE005277-5286		
227	10/28/2004	Alan Waskin	Letter to Chris Sheean Re: VEO/ University of Notre Dame Bid	V00228		
228	10/29/2004	Chris Petcos	Petcos Letter to White re: Unit Sale Notification	V00229-230		
229	10/29/2004	Chris Petcos	Petcos correspondence to White re: Breach	VEO0591-593		
230	11/11/2004	Mark White	Email to Petcos Re: Unix Program Access	VEO0588-589		
231	2/10/2005	John Viskup	Viskup Email re: Ability to Design Boiler	IKE 9749		
232	2/20/2004	VEO	Unit Sale Notifications, Rev. 1(VEO to EPTI) 2/20/04-10/23/04	IKE005172, IKE005126-IKE005139& IKE005695		

**Indeck v. Victory**  
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Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
233	5/6/2005	Mark White	Unit Sale Notification with Ware Inc., VEO Company Overview and Excerpt from VEO website	IKE 09944 (also identified as VEO 2548)		
234	10/25/2004	VEO	VEO Royalty Payments VEO Unit Sale Notifications to IKE	VEO 06693 IKE 9945-9951		
235	7/11/2005	Mark White	Intentionally Left Blank			
236A	9/2/2005	VEO	VEO Unit Sale Notifications to IKE			
236B						
236C	9/2/2005	VEO	VEO Unit Sale Notifications to IKE (Orchids Paper)	IKE 9954-9956		
237	9/9/2005	VEO	Defendant's Supplemental Answers to Plaintiff's First set of Discovery Requests			
238	9/15/2005	Mark White	Email from Mark White to Jamie Tighe attaching Redlined Draft- Software Purchase Agreement Between VEO and E-tech	VEO8141-8150		
239	9/29/2005	VEO & E-Tech	VEO/ E-TECH Software Development Agrmt. and Purchase Agrmt.	VEO8124-8139		
240	10/28/2005	Chris Petcos	Letter re: termination of License Agreement	IKE 9957		
241	12/20/2005	Trent Miller	Miller Email cc to Viskup re: Fabrication Drawings	VEO7426-7427		
242	12/21/2005	Mark White	Letter to Petcos Re: Request for Records Audit	IKE 9962-9963		
243	12/21/2005	Mark White	Letter to Petcos Re: Expiration of License Agreement	IKE 9960-9961		
244	12/29/2005	Mark White	Email to Trent Miller re: Boiler Base Fame- Width Restrictions	VEO8178-8179		
245	12/30/2005	Mark White	Email to Trent Miller re: Boiler Base Fame- Width Restrictions	VEO8175-8176		
246	1/28/2006	VEO	Introduction of the Voyager on the VEO web site.	IKE 9750-9753		
247	2/00/2006		VEO/ E-TECH Software: Screenshots for Data Input	VEO8122-8123		

**Indeck v. Victory**  
**Plaintiff's Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
248	2/18/2005	VEO	Excerpt from VEO Website re: Keystone Watertube Boilers	IKE 09783-84		
249			Intentionally Left Blank			
250		Mark White	3 CD's with information that Mark White had on his computer while Employed at EPTI	IKE 9591-9593		
251			VEO Boiler Contracts for Boilers sold while IKE was Licenser			
252			VEO Boiler contracts for the Voyager Boiler			
253			Ad in Ethanol Industry Magazine Re: Voyager	IKE 9964-9965		
254	5/00/02-8/00/04	VEO	J-VE-301 Drawings (Ware Energy Rental Boiler)	VEO6284-6424		
255	7/00/03-11/00/03	VEO	J-VE-254 Drawings (Atofina-Petrochemicals)	VEO5973-6060		
256	7/00/03-12/00/03	VEO	J-VE-251 Drawings (Trojan Energy-Rosewell Park)	VEO5850-5971		
257	7/00/03-4/00/04	VEO	J-VE-289 Drawings (Tejas- Oxy Vinyl's)	VEO6426-6555		
258	9/00/03-5/00/05	VEO	J-VE-282 Drawings (Logan Aluminum)	VEO5609-5741		
259	11/00/03-9/00/04	VEO	J-VE-262 Drawings (Dallas Fort Worth Airport )	VEO5742-5848		
260	12/00/03-3/00/04	VEO	J-VE-285 Drawings (Protherm-Nestle Purina)	VEO6062-6142		
261	10/00/04-2/00/05	VEO	J-VE-313 Drawings (WPTI)	VEO6144-6282		
262	11/00/04	VEO	J-VE-303 Drawings (Idaho State University)	VEO2709-2712		
263	2/00/05-5/00/05	VEO	J-VE-344 Drawings (Ware-Toyo )	VEO3278-3346		
264	4/00/05	VEO	J-VE-356 Drawings (Ware Rental Boilers)	VEO3112-3187		

**Indeck v. Victory**  
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Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
265	7/00/05	VEO	J-VE-347 Drawings (Broin-Michigan Ethanol)	VEO2564-2573		
266	3/00/06	VEO	J-VE-444 Drawings (Broin- Sioux River Ethanol)	VEO9460-9505		
267	02/00/06-3/00/06	VEO	J-VE-445 Drawings (Broin- Iowa Ethanol)	VEO9605-9624		
268	6/14/2001	John Viskup	VEO Letter to Aalborg Industries re: Victory Energy PO # 3343			
268A	5/18/2001	VEO	VEO Fax Containing Aalborg Industries Purchase Orders			
268B	5/17/2001	Aalborg Industries	Proposal for Keystone "O" Type Watertube Package Boiler (Aalborg Proposal No. 2000-0371)			
268C	5/25/2001	Aalborg Industries	Aalborg Industries Terms and Conditions of Sale			
269	5/17/2001		Proposal to Aalborg Industries, VE-2000-0371 R.1		IKE001189-IKE001210	
270	1/16/2003	VEO	Proposal Presented to Tejas Boiler Services, Inc. for Oxy Vinyls (VEO Proposal No. VE-1661, Revision 1)	VEO3743-VEO3756		
271	1/21/2003	VEO	Proposal Presented to Tejas Boiler Services, Inc. for Atofina Petrochemicals, Inc. (VEO Proposal No. VE-1401,	VEO3793-VEO3807		
272	1/25/2003	VEO	Proposal for Broin & Associates, Inc. (Iowa Ethanol, Sioux River Ethanol & Ottercreek Ethanol)	VEO3783-VEO3791		
273	1/25/2003	VEO	Proposal for Broin & Associates, Inc. (Proposal Number 1548, Revision 1)	IKE004241- IKE004252,IKE004460- IKE004470 & IKE000403- IKE000409		

**Indeck v. Victory**  
**Plaintiffs Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
274	2/21/2003	VEO	Proposal Presented to Trojan Energy Systems, Inc. for Roswell Park Cancer Institute (VEO Proposal No. VE-1592)	VEO3809-VEO3826		
274B	5/7/2003	VEO	Proposal Presented to Trojan Energy Systems, Inc. for Roswell Park Cancer Institute (VEO Proposal No. VE-1592, Revision 3)	TES000002-18		
275	3/24/2003	VEO	Proposal Presented to Protherm Corporation for 80,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1615)	PTC 0000235 - 0000242		
276	4/16/2003	VEO	Proposal Presented to Ware, Inc. for 75,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1635)	BHES00200-00201 & 00688-00700		
277	5/5/2003	VEO	Proposal Presented to Ware, Inc. for 130,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1645)	BHES 000061 - 000080		
278	5/28/2003	VEO	Proposal Presented to Tejas Boiler Services, Inc. for Oxy Vinyls (VEO Proposal No. VE-1661)	VEO4811-VEO4887		
279	9/21/2003	VEO	Proposal Presented to Logan Aluminum, Inc. for 50,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1721)	VEO03758-3781		
280	10/17/2003	VEO	Proposal Presented to Walker Building Corporation for DFW Airport (VEO Proposal No. VE-1683, Revision 1)	VEO3683-VEO3708		
281	10/28/2003	VEO	Proposal Presented to Tejas Boiler Services, Inc. for Oxy Vinyls (VEO Proposal No. VE-1661, Revision 2)	VEO4795-VEO4810		
282	10/28/2003	VEO	Proposal Presented to Fore Runner Corporation for KFX Coal Beneficiation (VEO Proposal No. VE-1673 Revision 2)	DS000038-DS000052		

**Indeck v. Victory**  
**Plaintiffs Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
283	11/26/2003	VEO	Proposal Presented to Protherm Corporation for Nestle Purina (VEO Proposal No. VE-1675)	VEO3732-VEO3741		
284	12/4/2003	VEO	Proposal Presented to Protherm Corporation for 7,000 pph Keystone Boiler (VEO Proposal No. VE-1784)	PTC 0000118- 0000128		
285	12/17/2003	VEO	Proposal Presented to Protherm Corporation for 70,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1615, Revision 2)	PTC 0000315 - 0000331		
286	1/5/2004	VEO	Proposal Presented to Protherm Corporation for Steam Boiler System (VEO Proposal No. VE-1789)	PTC 0000100 - 0000116		
286A	1/8/2004	VEO	Proposal Presented to Protherm Corporation for Steam Boiler System (VEO Proposal No. VE-1789)	PTC 0000067 - 000083		
287	1/9/2004	VEO	Proposal Presented to Fore Runner Corporation for KFX Coal Beneficiation (VEO Proposal No. VE-1673 Revision 3)	DS000002-DS000021		
288	1/21/2004	VEO	Proposal Presented to Ware, Inc. for the 75,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1798)	VEO3672-VEO3682 &		
288A	1/21/2004	VEO	Proposal Presented to Ware, Inc. for the 75,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1798)	VEO1890-VEO1901		
289	2/6/2004	VEO	Proposal Presented to CRY Engineering for Escalon Packers (VEO Proposal No. VE-1814 Revision 1)	CPE 000392-000426		
290	2/9/2004	VEO	Proposal Presented to PowerTech Solutions, Inc. for 150,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1820)			

**Indeck v. Victory**  
**Plaintiff's Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
291	2/16/2004	VEO	Proposal Presented to Sierra Pine for 40,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1823)	CPE 00337-000364		
292	2/18/2004		Escalon Premier Brands Proposal	CPE 000365-000379		
293	3/31/2004	VEO	Proposal Presented to ConocoPhillips Ferndale Refinery for 120,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1734)	CPE 000427-000500		
294	4/6/2004	VEO	Proposal for Keystone, Model 20M, 100,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1861)	CPE 000309-000321		
295	4/12/2004	Protherm/VEO	Proposal for two 110,000 lb/hr Boilers (Protherm Proposal No. 64203201)	PTC 00000001 - 0000022		
296	5/5/2004	VEO	Proposal Presented to University of Notre Dame for 180,000 pph Watertube Steam Boiler (VEO Proposal No. VE-1881)	VEO1060-VEO1085		
297	5/12/2004	VEO	Proposal Presented to J.C. Higgins Corp. for Worcester Poly Tech (VEO Proposal No. VE-1766, Revision 4)	VEO3710-VEO3730		
298	5/18/2004	Christian Power and Equipment VEO	Proposal Presented to SNC-Lavalin Constructors, Inc. for Port Westward Power Project (VEO Proposal No. VE-1897)	CPE 000182-000234		
299	7/28/2004	VEO	Proposal for 250,000 lb/hr Watertube Steam Boiler (Protherm Proposal No. 34150202)	PTC 0000175 - 00000192		
300	8/9/2004	Protherm	Proposal for two 110,000 lb/hr Watertube Boilers (Protherm Proposal No. 34240203A)	PTC 0000427 - 00000428		
301	8/20/2004	VEO	Proposal for 250,000 lb/hr Watertube Steam Boiler (Protherm Proposal No. 34150203)	PTC 0000157 - 00000174		
302	8/23/2004	VEO	Proposal for Ware Energy (VEO Proposal No. VE-1809)	BHES 000133 -000134 & 000408 - 000416		

**Indeck v. Victory**  
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Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
303	8/23/2004	VEO	Proposal Presented for Idaho State University (VEO Proposal No. VE-1627, Revision 3)	VEO1902-VEO1927		
304	8/27/2004	VEO	Proposal Presented to Brion & Associates, Inc. for Michigan Ethanol (VEO Proposal No. VE-2010)	VEO1871-VEO1889		
304A	8/27/2004	VEO	Proposal Presented to Brion & Associates, Inc. for Michigan Ethanol (VEO Proposal No. VE-2010)	VEO2417-2435		
305	11/8/2004	VEO	Proposal for Ware Energy (VEO Proposal No. VE-1809, Revision 2)	BHES 000135 - 000136 & 000419 - 000428		
306			Intentionally Left Blank			
307	11/24/2004	VEO	Proposal Presented to SNC-Lavalin Constructors, Inc. for 200,000 Watertube Steam Boiler (VEO Proposal No. VE-1995)	CPE 000031-000098		
308			Intentionally Left Blank			
309	12/23/2004	VEO	Proposal Presented to AHM Associated, Inc. for ACCO Engineered Systems (VEO Proposal No. VE-2014)	CPE 000006 - 000023		
310	1/18/2005	VEO	Proposal Presented to Ware, Inc. for Replacement Boiler (VEO Proposal No. VE-2027)	BHES00292-00304		
311	3/15/2005	Protherm	Proposal for two 110,000 lb/hr Boilers (Protherm Proposal No. 24192203)	PTC 0000429 - 0000430		
312	3/28/2005	VEO	Proposal Presented to Ware, Inc. for 150,000 pph Watertube Steam Boilers (VEO Proposal No. VE-2083)	BHES00260-00272		

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Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
313	3/29/2005	VEO	Proposal for 60,000 pph Watertube Steam Boilers (VEO Proposal No. VE-2078, Revision 1)	BHES00250-00259		
314	4/18/2005	Protherm	Proposal for Model 21M, 132,500 lb/hr Boiler (Protherm Proposal No. 505108201)	PTC 0000197 - 0000217		
315	4/22/2005	VEO	Proposal Presented to Ware, Inc. for 40,000 pph Watertube Steam Boilers (VEO Proposal No. VE-2102)	BHES 000110 & 000504 - 000510		
316	4/28/2005	VEO	Proposal Presented to Ware, Inc. for 75,000 pph Watertube Steam Boilers (VEO Proposal No. VE-2108)	BHES 167, 168, 675 – 676, 732 – 739'		
317	6/1/2005	VEO	Proposal Presented to Dick Engineering, Inc. for Orchids Paper Products Co. (VEO Proposal No. VE-2115)			
318	6/6/2005	VEO	25,000 pph Watertube Steam Boiler Budget Proposal Presented to Dick Engineering, Inc. (VEO Proposal No. VE-2120)			
319	6/10/2005	VEO	Proposal Presented to Cogentrix/Indiantown Cogeneration, L.P. for 136,000 pph Watertube Steam Boiler (Option #1) (VEO Proposal No. VE-2127)	VEO8665-VEO8696		
319A	6/10/2005	VEO	Proposal Presented to Cogentrix/Indiantown Cogeneration, L.P. for 136,000 pph Watertube Steam Boiler (Option #1) (VEO Proposal No. VE-2127)	Indiantown 98-134		
320	6/10/2005	VEO	Proposal Presented to Dick Engineering, Inc. for Orchids Paper Products Co. (VEO Proposal No. VE-2115, Revision 1)			

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Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
321	6/10/2005	VEO	Proposal Presented to Cogentrix/Indiantown Cogeneration, L.P. for 102,000 pph Watertube Steam Boiler (Option #3) (VEO Proposal No. VE-2127)	Indiantown 62 -97		
322			Intentionally Left Blank			
323	6/13/2005	VEO	Proposal Presented to Protherm Corporation for 35,000 pph Watertube Steam Boiler (VEO Proposal No. VE-2121, Revision 1)	PTC 0000364 – PTC 0000377		
324	6/16/2005	VEO	Proposal Presented to PSEG Services Corporation for PSEG Hope Creek Generating Station (VEO Proposal No. VE-2082, Revision 1)	VEO7571-7593		
325	6/16/2005		Proposal to PSEG Services Corporation (VE-2082, Revision 1)	VEO7571 -VE07593		
326	6/21/2005	VEO	25,000 pph Watertube Steam Boiler Budget Proposal Presented to Dick Engineering, Inc. (VEO Proposal No. VE-2120, Revision 1)			
327	6/24/2005	VEO	Proposal Presented to Dick Engineering, Inc. for Orchids Paper Products Co. (VEO Proposal No. VE-2115, Revision 2)			
328	6/27/2005	VEO	Proposal Presented to Dick Engineering, Inc. for Orchids Paper Products Co. (VEO Proposal No. VE-2115, Revision 3)			
329	7/5/2005	VEO	Proposal Presented to Dick Engineering, Inc. for Orchids Paper Products Co. (VEO Proposal No. VE-2115, Revision 4)			

**Indeck v. Victory**  
**Plaintiff's Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
330	7/7/2005	VEO	Proposal Presented to Dick Engineering, Inc. for Orchids Paper Products Co. (VEO Proposal No. VE-2115, Revision 5)			
331			Intentionally Left Blank			
332	7/8/2005	VEO	Proposal Presented to Dick Engineering, Inc. for Orchids Paper Products Co. (VEO Proposal No. VE-2115, Revision 6)	VEO690-VEO6928		
333			Intentionally Left Blank			
334			Intentionally Left Blank			
335	7/13/2005	VEO	Proposal presented to Ware, Inc. for 57,000 pph Watertube Steam Boilers (VEO Proposal No. VE-2078)	BHES 000178 – BHES 000199		
336	7/22/2005	VEO	Proposal Presented to Cogentrix/Indiantown Cogeneration, L.P. for 136,000 pph Watertube Steam Boiler (Option #1) (VEO Proposal No. VE-2127)	Indiantown 135-168		
337	7/27/2005	VEO	Proposal Presented to Cogentrix/Indiantown Cogeneration, L.P. for 136,000 pph Watertube Steam Boiler (Option #1) (VEO Proposal No. VE-2127, Revision 3)	Indiantown 169-203		
338	8/17/2005	VEO	Proposal Presented to Holman Boiler for NASA (VEO Proposal No. VE-1836)	VEO7128-VEO7145		
338A	various	VEO	VEO Drawings for Project VE-380 (NASA)	VEO 07146-7240		
339	8/29/2005	VEO	Proposal Presented to Cogentrix/Indiantown Cogeneration, L.P. for 136,000 pph Watertube Steam Boiler (VEO Proposal No. VE-2127, Revision 6)	Indiantown 204-233		

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Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
340	9/12/2005	VEO	Proposal Presented to Vamco Sheet Metal for Sing Sing Correctional Facility (VEO Proposal No. VE-2090, Revision 5)	VE07861-VE07891		
341	12/5/2005	VEO	Proposal Presented to Protherm Corporation for two 150,000 Watertube Steam Boilers (VEO Proposal No. VE-1925)	PTC 0000042- 00000065		
342	12/5/2005	VEO	Proposal Presented to Cogentrix/Indiantown Cogeneration, L.P. for Indiantown Cogeneration, L.P. (VEO Proposal No. VE-2127, Revision 7)	Indiantown 23-55		
343	4/22/2005	VEO	Proposal Presented to Ware, Inc. for 40,000 pph Watertube Steam Boiler (VEO Proposal No. VE-2102)	BHES000091 & BHES000661-667		
344			Intentionally Left Blank			
345		VEO	Proposal Presented to Ware, Inc. for 90,000 pph Package Boiler (VEO Proposal No. VE-2128)	BHES00175; BHES000747-749		
346		VEO	Proposal for two New Keystone, Model 19M, 110,000 pph Watertube Steam Boilers (VEO Proposal No. VE-1925,	PTC 0000129 - 0000153		
347		VEO	Proposal for 200,000 pph "O" Type Watertube Steam Boiler (VEO Proposal No. VE-1858, Revision 1)	PTC 00000023-00000039		
348		EPTI	Keystone Boiler Technical Proposal (Protherm Proposal No. 33271201)	PTC 0000261 - PTC 0000271		
349		VEO	Proposal for 35,000 pph VEO "O" Type Watertube Steam Boiler (Proposal No. V54155201)	PTC 0000405 - 0000424		
350		Protherm	Proposal for two Victory Keystone 110,000 lb/hr Boilers (Protherm Proposal No. 24185203)	PTC 0000432 - 0000451		

**Indeck v. Victory**  
**Plaintiff's Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
351	9/12/2006	Robert Seibel	Expert Report of Robert Seibel - Report of Study of Boiler Factors in Regard to Indeck Keystone Energy v. Victory Energy Operations			
351A			Robert Seibel Curriculum Vitae			
352	12/1/2006	Robert Seibel	Supplemental Expert Report of Robert Seibel - Supplemental Report of Study of Boiler Factors in Regard to Indeck Keystone Energy v. Victory Energy Operations			
353			Binder No. 1			
353A			Binder No. 2			
354	1/16/2005	John Wiesehan	Protherm Letter to Victory Energy re: Erie Power Sales Representation	PTC00000066		
355	11/23/2004	VEO	Proposal Presented to Trojan Energy Systems, Inc. for Sodexo Project (VEO Proposal No. VE-1999)	TES000039-000060		
356	1/25/2005	VEO	Email from J. Viskup to S. McMillin re: Sterling Ethanol (VEO Proposal No. VE-2032)	ICM01815-1816		
356A	1/25/2005	VEO	Predicted Operating Performance Data Firing for Keystone 23M	ICM01817		
356B	1/25/2005	VEO	Proposal Presented to ICM, Inc. for Sterling Ethanol, LLC (VEO Proposal No. VE-2032)	ICM01818-1834		
357	1/18/2005	VEO	VEO Memorandum from J. Viskup to G. Loest, D. Johnson and A. Buessing re: ICM/Sterling Ethanol	ICM01836-1838		
358		VEO	Instruction Manual - Section E: V.E.O. Drawings	ICM00805-806		
359		VEO	Proposal Presented to ICM, Inc. for Front Range Energy (VEO Proposal No. VE-1848, Revision 1)	ICM01874, ICM01880- 1904		

**Indeck v. Victory**  
**Plaintiffs Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
360	4/8/2004	VEO	Proposal Presented to ICM, Inc. for Front Range Energy (VEO Proposal No. VE-1848, Revision 2)	ICM00746-777		
361		VEO	Proposal Presented to ICM, Inc. for Front Range Energy (VEO Proposal No. VE-1848, Revision 3)	ICM01905-1923		
362	4/22/2005	VEO	Proposal Presented to ICM, Inc. for Front Range Energy II (VEO Proposal No. VE-2098, Revision 1)	ICM00001-32		
363	various	VEO	VEO Drawings for Sterling Ethanol Projects	ICM01924-1940		
364	6/29/2005	VEO	VEO Project Data and Equipment List for ICM Sterling Ethanol Project (EL-311, Revision 3)	ICM00916-924		
365	6/29/2005	VEO	VEO Materials & Components List for ICM Sterling Ethanol Project (EL-311, Revision 3)	ICM00925-930		
366		VEO	Voyager Advertisement			
367	6/23/2006	MECS	Request for Quotation	MECS-I-0226-0233		
368	6/21/2006	MECS	Original Specification and Document Bid Package for Ten (10) 50mgpy Ethanol Plants	MECS-I-0234-0302		
369	10/10/2006	MECS	Email from John Rheinstadter to Cap Kovarik & Tony Smith Re: Boiler Bid Evaluation	MECS-I-0177-0178		

**Indeck v. Victory**  
**Plaintiff's Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
370	10/16/2006	MECS	Email from Mary Eudy to John Viskup Re: VEO Updated Bid for the Ethanol Boiler Package - Wayne City, IL & Belmond, IA	MECS-I-1084		
371	8/10/2006	VEO	Package Boiler System Proposal Presented to MECS, Inc. for Five (5) Greenfield/Brownfield Ethanol Plants	MECS-I-0303-0360		
372	6/23/2006	MECS	Vendor Proposal Price Data Sheet for VEO Proposal No. VE-2349	MECS-I-0936-0949		
373	9/20/2006	VEO	Package Boiler System Proposal Presented to MECS, Inc. for Global Ethanol - 100 MMGPY Plants (Wayne City, IL & Belmond) (VEO Proposal No. VE-2349, Revision 1)	MECS-I-0021-0046		
374	6/23/2006	MECS	Vendor Proposal Price Data Sheet for VEO Proposal No. VE-2349, Revision 1	MECS-I-0622-0726		
375	9/25/2006	VEO	Package Boiler System Proposal Presented to MECS, Inc. for Global Ethanol - 100 MMGPY Plants (Wayne City, IL & Belmond) (VEO Proposal No. VE-2349, Revision 2)	MECS-I-0062-0120		
376	2005	VEO	Victory Energy Product Brochure	MECS-I-0566-0568		
377		VEO	VEO "O" Type Steam Generators Project Reference List	MECS-I-0556-0565		

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Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
378	10/2/2006	VEO	Package Boiler System Proposal Presented to MECS, Inc. for Global Ethanol - 100 MMGPY Plants (Wayne City, IL & Belmond) (VEO Proposal No. VE-2349, Revision 3)	MECS-I-0737-0806		
379	10/16/2006	VEO	Package Boiler System Proposal Presented to MECS, Inc. for Global Ethanol - 100 MMGPY Plants (Wayne City, IL & Belmond) (VEO Proposal No. VE-2349, Revision 4)	MECS-I-1085-1123		
380	10/31/2006	VEO	Email from John Viskup to Mary Eudy Re: VEO Letter Requested by MECS with Attached Letter Re: VEO's Sale of Boilers to MECS	MECS-I-0151-0153		
381	10/31/2006	MECS	Email from Mary Eudy to John Merz Re: VEO's Negotiated Terms and Conditions with November 2, 2006 John Merz Reply	MECS-I-0221-0222		
382	11/8/2006	MECS	Email from John Burk to John Viskup Re: MECS Proposal - Suggested Indemnity Paragraph	MECS-I-0012-0013		
383	10/31/2006	MECS	Email from Mary Eudy to Cap Kovarik, Tony Smith, John Burk & Larry Stelbel Re: Shop Audit Report for VEO with Attached Audit Report	MECS-I-1069-1075		
384		MECS	Handwritten Notes	MECS-I-0984		
385	10/31/2006	VEO	Email from John Viskup with Attached Letter Re: VEO's Sale of Boilers to MECS	MECS-I-0018-0019		

**Indeck v. Victory**  
**Plaintiffs Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
386	10/31/2006	MECS	Email from Mary Eudy to John Merz Re: VEO's Negotiated Terms and Conditions with November 2, 2006 John Merz Reply	MECS-I-0010-0011		
387	11/8/2006	MECS	John Burk's Handwritten Notes from 11/8/2006 Meeting with Indeck	MECS-I-0014		
388	11/10/2006	MECS	Email from John Burk to Brad Mortland Re: Letters of Intent for VEO	MECS-I-0213		
389	11/20/2006	MECS	Email from John Burk to John Merz Re: Conversation with VEO on Indeck Issues	MECS-I-1064		
390	9/28/2006	MECS	Cap Kovarik Handwritten Notes from 9/28/2006 Meeting with VEO	MECS-I-0727-0729		
391	8/29/2006	Protherm	Email from John Wiesehan to Cap Kovarik, Tony Smith & Mary Eudy re: Victory Energy Boiler Photographs with Attached Photographs	MECS-I-1126-1131		
392	11/8/2006	MECS	Cap Kovarik Handwritten Notes from 11/8/2006 Meeting with Indeck	MECS-V-0036		
393	4/20/2005	VEO	Proposal Presented to Weyerhaeuser - Duraflake (VEO Proposal No. VE-2097)	AT100001-11		
394	5/31/2005	VEO	Proposal Presented to ESI, Inc. of Tennessee (VEO Proposal No. VE-2116)	PIS000004-7		
395	9/8/2005	VEO	Proposal Presented to ESI, Inc. of Tennessee (VEO Proposal No. VE-2080, Revision 1)	PIS0000023-32		

**Indeck v. Victory**  
**Plaintiff's Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
395A	12/6/2005	VEO	Proposal Presented to ESI, Inc. of Tennessee (VEO Proposal No. VE-2080, Revision 1)	PIS000008-10		
396	12/6/2005	VEO	Proposal Presented to ESI, Inc. of Tennessee (VEO Proposal No. VE-395)	PIS000019-22		
397	5/18/2005	VEO	Proposal Presented to McBurney for American Proteins (VEO Proposal No. VE-2113)	PIS000046-66		
398	5/31/2005	VEO	Proposal for Central Energy Plant (VEO Proposal No. VE-2103)	PIS000067-84		
399		VEO	VEO Job Number 504 - Purchase Orders	VEO16387-16532		
400		VEO	VEO Job Billing History Report for VEO Job Number 504	VEO16533		
401		VEO	VEO Job Transaction Detail Report for VEO Job Number 504	VEO16534-16548		
402		VEO	VEO Job Number 515 - Purchase Orders	VEO16549-16670		
403		VEO	VEO Job Billing History Report for VEO Job Number 515	VEO16671		
404		VEO	VEO Job Transaction Detail Report for VEO Job Number 515	VEO16672-16690		
405		William Leibel	William F. Leibel Curriculum Vitae			
406		William Leibel	Expert Report of William F. Leibel - Profit			
407		Demonstrative	Timeline of Events			
408		Demonstrative	Profit Chart for Keystone & Voyager			
409		VEO	VEO Purchase Orders	VEO8219-VEO8239		
410		VEO	VEO Purchase Orders	VEO8815-VEO8821		
411		VEO	Cost Code Summaries	VEO14817-VEO14895		
412		VEO	Profit/Cost Reports	VEO14956-VEO14979		
413		VEO	Income/Financial Statements	VEO15201-VEO15252		
414	2/13/2007	VEO	Summary of Voyager Contracts (2/13/07)	VEO16691		

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Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
415		VEO	Project VE-303 (Idaho State University Documents)	VEO9699-VEO8919; VEO9827-VEO9930; VEO13951-VEO13955; VEO14651; VEO14677-VEO14687; VEO13868-VEO13875		
416		VEO	Project VE-344 (Ware Energy) Documents	VEO9820-VEO9826; VEO10467-VEO10709; VEO13961-VEO13966; VEO14652; VEO14688-VEO14696; VEO13881-13887		
417		VEO	Project VE-313 (Worchester Poly Tech.) Documents	VEO9931-VEO10452; VEO10456-VEO10466; VEO11000; VEO13956-VEO13960; VEO13876-VEI13880		
418		VEO	Project VE-337 Documents	VEO10453-VEO10455		
419		VEO	Project VE-347 (Broin Michigan Ethanol PB) Documents	VEO10710-VEO10999; VEO11001-VEO11016; VEO13967-VEO13981; VEO14653; VEO14697-14710; VEO13888-VEO13895		
420		VEO	Project VE-355 (Frank Lill & Sons - PSE&G) Documents	VEO11017-VEO11333; VEO11335-VEO11660; VEO13982-VEO14015; VEO14654; VEO14711-VEO014726; VEO13896-VEO13900		
421		VEO	Project VE-390 (City of Perham) Documents	VEO11334; VEO12367-VEO12653; VEO14025-VEO14052; VEO14657; VEO14751-VEO14765; VEO13918-VEO13919		

**Indeck v. Victory**  
**Plaintiff's Trial Exhibit List**

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
422		VEO	Project VE-356 (Ware - Rental Unit) Documents	VEO11661-VEO11675; VEO11676-VEO12034; VEO14016; VEO14655; VEO14727-VEO14737; VEO13901-VEO13908		
423		VEO	Project VE-351 Documents	VEO11675		
424		VEO	Project VE-380 (Holman - NASA) Documents	VEO12035-VEO12366; VEO14017-VEO14024; VEO14738-VEO14750		
425		VEO	Project VE-400 (Orchids Paper Products) Documents	VEO12654-VEO12958; VEO14766-VEO14781; VEO13923-VEO13926		
426		VEO	Project VE-410 (Indiantown Cogen) Documents	VEO12958-VEO13335; VEO14659; VEO14782-VEO14799; VEO13927-VEO13934		
427		VEO	Project VE-418 (Vamco Sheet Metal/Sing Sing Prison) Documents	VEO13336-VEO13736; VEO14053-VEO14071; VEO14660; VEO14800-VEO14816; VEO13935-VEO13948		
428		VEO	Project VE-282 (Logan) Documents	VEO14072-VEO14324; VEO14328-VEO14437; VEO13950; VEO14650; VEO14661; VEO14676		
429		VEO	Project VE-311 Documents	VEO14325-VEO14327		
430		VEO	Project VE-443 (Frucon Engineering, Inc.) Documents	VEO15996-VEO16144; VEO16707-VEO16882		
431		VEO	Project VE-444 (Sioux River Ethanol) Documents	VEO 16145-VEO16273; VEO16591; VEO16883-VEO16994		
432		VEO	Project VE-445 (Brain-Iowa Ethanol) Documents	VEO 16274-VEO16386; VEO16387-VEO16548; VEO16995-VEO17180		
433		VEO	Project VE-504 (Yuma Ethanol, LLC) Documents	VEO17181-VEO17364		

**Indeck v. Victory**  
Plaintiff's Trial Exhibit List

Exhibit	Date	Author	Subject	Bates Numbers	Authenticity	Admissibility
434		VEO	Project VE-515 (Penford Products, Co.) Documents	VEO16549-VEO16690; VEO17365-VEO17522;		

Plaintiff reserves the right to amend this exhibit list up to and including the time of trial. Plaintiff further reserves i) the right to use any relevant authenticated exhibits contained on VEO's exhibit list; ii) the right to use any documents for the purposes of cross-examination, rebuttal, impeachment and refreshing a witness' recollection; and iii) to compile summaries and demonstratives as permitted by the Federal Rules of Civil Procedure.